



Entered on Docket
September 23, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Fifth Omnibus Objection
Of USACM Trust To Proofs Of Claim
Based In Part Upon Investment In The
Gess Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m.

The Court having considered the "Fifth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Gess Loan," ("Gess Loan") [DE 8634] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed

1 on **Exhibit A** does not affect the direct lenders' right to repayment by the borrower or from
2 the collateral securing the Gess Loan; and good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8634] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Gess Loan.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10
11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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**USACM Trust
6425 Gess, Ltd.
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the 6425 Gess, L/TD Loan
10725-01050	11/6/2006	Brooks Living Trust Dtd 6/30/97	C/O Howard D & Doreen C Brooks Ttees 1894 Us Highway 50 E Ste 4-344 Carson City, NV 89701-3202	300,000.00	50,000.00
10725-02061	1/11/2007	Callahan & Maradon Jt Tenents, Valerie & Charles	12585 Creek Crest Dr Reno, NV 89511	589,738.84	250,000.00
10725-02113	1/11/2007	Charles B Dunn Iv Trust Dtd 8/12/05	C/O Charles B Dunn Iv Trustee 17042 Norlene Way Grass Valley, CA 95949-7161	690,996.08	50,000.00
10725-01951	1/11/2007	CK Khury & Irene K Bass Family Trust Dtd 5/10/05	1930 Village Center Circle #3-387 Las Vegas, NV 89134	400,000.00	150,000.00
10725-02290	1/12/2007	Clark, Rosanne L	2350 High Terrace Dr Reno, NV 89509	305,494.48	50,000.00
10725-01218	11/10/2006	Cohen Living Trust Dtd 3/6/90	c/o Nelson Cohen, Esq. 7670 West Lake Mead Blvd Suite 225 Las Vegas, NV 89128	404,317.00	50,000.00
10725-02038	1/11/2007	Collins Family Trust Dated 1/29/93	C/O Shirley M Collins Trustee 1975 Snowberry Ct Carlsbad, CA 92009-8408	1,760,380.48	50,000.00
10725-02173	1/12/2007	Cook Jt Ten, Aldon G & Deedra	259 Hammock Terrace Venice, FL 34293-1012	285,580.12	50,000.00
10725-01725	12/11/2006	Cowman, Robert A & Sandra L	1525 Winterwood Ave Sparks, NV 89434-6730	162,950.00	75,000.00
10725-02045	1/11/2007	Dar Living Trust Dtd 2/12/03	Darlene Hammond Ttee 308 La Rue Ct Las Vegas , NV 89145	329,377.00	50,000.00

EXHIBIT A

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